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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

23

Application Number

10/604,816

Filing Date

08/19/03

First Named Inventor

Xiankui Shi

Art Unit

2839

Examiner Name

DINH, PHUONG K

Attorney Docket Number

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☒

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) _____

☐

Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☐Other Enclosure(s) (please identify
below):**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Wei Te Chung (Foxconn International, Inc.)

Signature

Printed name

Wei Te Chung

Date

Feb 28 2005

Reg. No.

43,325

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Feb 28 2005

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
SHI ET AL.

Serial No.: 10/604,816

Confirmation No.: 1815

Filed: 08/19/2003

For: CABLE END CONNECTOR AND
METHOD OF ASSEMBLING THE SAME

) Examiner:

) Dinh, Phuong K

) Group Art Unit: 2839

) Dated: Feb. 28, 2005

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PEITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER
37CFR § 1.181

Commissioner:

- (1) Applicant received "NOTICE OF ABANDONMENT" dated 12/29/2005, mentioning "Applicant's failure to timely file a proper reply to the office letter mailed on 17 May 2004." because of "No reply has been received." (Sec. (1)(d) & Sec. 7). Anyhow, according to the official transaction history (Attachment 1) from USPTO PAIR system, it is not the case here.

- (2) In fact, according to Attachment 1, Applicant submitted the response by fax on 07/01/2004 and the Examiner mailed the advisory action (Attachment 2) dated 07/27/2004 by stating the proposed amendment would not be entered because the amended claim 6 raised the new issues.
- (3) Applicant then submitted the supplemental response by fax on 08/10/2004 (Attachment 3) in which Applicant had canceled claim 6 to eliminate the new issues matter.
- (4) According to Attachment 1, such a supplemental response was forwarded to the Examiner on 08/17/2004. Anyhow, it seems such forwarding failed for some internal communication problem in PTO and the supplemental response was again forwarded to the Examiner on 11/29/2004, three months after the first forwarding.
- (5) Unfortunately, such second forwarding occurred after (6 months period) expiration of the final rejection. Thus, the Examiner could not help but issue this abandonment notice on 12/23/2004 and mailed it out on 12/29/2004.
- (6) Because Applicant did timely submitted the eligible response on 08/10/2004 while PTO failed to forward it to the Examiner correctly in time, this abandonment essentially resulted from PTO's erroneous internal postponement, but NOT Applicant's failure to timely reply.

Conclusion

Applicant requests that the holding of abandonment of the instant application be withdrawn and the instant application be further examined based upon the supplemental response which Applicant had submitted in time while failed to be forwarded to the Examiner timely due to PTO's problematic internal communication. Applicant further requests the time frame should be rescheduled for Applicant's filing of the possible appeal and continuation application if the instant application can not be put into a condition for allowance at this stage.

This petition is made within two months of the mailing date of the abandonment notice, so it should be granted.

Respectfully submitted,
SHI ET AL.

By 

Wei Te Chung

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Attachments